

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

TAMMY COLE ON BEHALF OF K.R.C.,

Plaintiff,

v.

CIVIL ACTION NO. 1:15-06971

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Tinsley submitted to the court his Findings and Recommendation ("PF&R") on August 23, 2016, in which he recommended that the District Court affirm the final decision of the Commissioner, deny Plaintiff's Brief in Support of Judgment on the Pleadings (ECF No. 10), and direct the Clerk to dismiss this matter from the court's active docket.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Tinsley's Findings and Recommendation. The failure of any party to file such objections constitutes a waiver of such party's

right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to the Magistrate Judge's Findings and Recommendation within the seventeen-day period. Having reviewed the Findings and Recommendation filed by Magistrate Judge Tinsley, the court adopts the findings and recommendations contained therein. Accordingly, the court hereby **AFFIRMS** the final decision of the Commissioner, **DENIES** Plaintiff's Brief in Support of Judgment on the Pleadings (ECF No. 10), and directs the Clerk to dismiss this matter from the court's active docket.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to all counsel of record.

IT IS SO ORDERED this 21st day of September, 2016.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge